HON'BLE THE CHIEF JUSTICE SHRI G.S. SINGHVI
AND
HON'BLE SHRI JUSTICE C.V. NAGARJUNA REDDY

WRIT APPEAL No. 185 OF 2007

Between:

Medical Council of India,
Through its Secretary,
New Delhi

... Appellant

And

Dr.R. Viswa Kumar & others

... Respondents

:: J U D G M E N T ::

Counsel for the appellant : Shri S. Niranjan Reddy

Counsel for respondent No.1 : Shri K.G.K. Prasad

February 26, 2007

Per G.S. Singhvi, CJ

This appeal is directed against order dated 27.03.2006 passed by the learned Single Judge in Writ Petition No.10018 of 2005. That order reads as under:

> " It is submitted by Sri K.G.K. Prasad, learned counsel appearing for the petitioner, and, Sri S. Niranjan Reddy, learned Standing Counsel appearing for the Medical Council of India, that the subject matter of the Writ Petition is squarely covered by the judgment of Division Bench of this Court dated 05.04.2005 passed in Writ Appeal No.2107 of 2004 and batch.
>
> Following the same, this Writ Petition is allowed and the impugned order is set aside. However, it is open for the respondents to initiate proceedings afresh, in accordance with law and take appropriate decision in the matter. No order as to costs."

Since the writ petition was allowed by the learned Single Judge by following the law laid down by the Division Bench in Writ Appeal No.2107 of 2004, we do not find any valid reason to interfere with the same.

With the above observation, the appeal is dismissed.

G.S. SINGHVI, CJ

C.V. NAGARJUNA REDDY, J

February 26, 2007
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